

**DECISION MEMO**  
**USDA FOREST SERVICE**

**Diamond Roof Road**  
**Reconstruction and Maintenance**  
Lakewood-Laona Ranger District  
Chequamegon-Nicolet National Forest  
Langlade and Oconto Counties,  
Wisconsin

**DECISION**

I have decided to implement Diamond Roof Road Reconstruction and Maintenance Project, as identified below, and on the attached map. This project is located in the Township 33 North, Range 15 East, Sections 4, 7-9, and 18; Township 33 North, Range 14 East, Sections 13, 14, 22-24, and 27; Oconto County, Wisconsin.

**REASONS FOR THE DECISION**

***Proposed Action:***

This project includes road reconstruction and surface replacement for Diamond Roof Road Forest Road (FR) 2123. Project work would begin in the summer of 2021 and have a completion date of approximately September 2021.

This project would begin at the intersection of Diamond Roof Road and Highway 32. It would extend 6 miles south, ending approximately 100 feet south of the intersection with Diamond Roof Road and Forest Road 2992.

Reconstruction of the existing roadway would include grading, shaping, and resurfacing. It would also re-establish ditches on both sides of the roadway to maintain proper drainage. Some existing culverts maybe replaced and new cross-culverts added as needed. The project includes construction of a limited number of outlet ditches to drain water off the roadway. This will be kept to a 5 acre maximum (most likely much less). Cutting of the right-of-way timber shall be completed by spring of 2020 by Timber Sale Contract. There will be stumping along the edge of the roadway to accommodate ditches, but only within the disturbed area. Also the road shoulders need to be "pulled-back".

Work shall be accomplished by heavy equipment such as bulldozers, excavators, and graders. Ditching and road reshaping shall take place within the existing disturbed area. The only work to take place outside of the disturbed area are the occasional outlet ditches. It is estimated that 10 outlets maybe needed along this segment of roadway. Typically these outlet ditches are disturbing an area 6 feet wide by 20 feet long. The Forest Service would also provide a 4 inch thick road gravel resurfacing.

### Design Features

- Washing equipment before entering FS lands and when leaving infested areas will help reduce the spread of non-native invasive species
- Insure, to the extent practicable, that road/trail fill and gravel sources do not contain nonnative invasive plant species
- Follow Wisconsin forestry best management practices (BMP's) for water quality: field manual for loggers, landowners, and land managers (Wisconsin Department of Natural Resources 2010) for working in wetlands.
- If any Heritage site is discovered during work, stop and contact the Forest Archeologist. No work in that area will resume until the Forest Archeologist has cleared the area.
- Wood Turtle: Project work occurring from April 1-September 30 requires the installation of J-hook barrier fencing at culverts on both sides of Diamond Roof Road at the Mosquito Creek, Barney Spring, and McCaslin Brook crossings for the duration of the project (see attached installation design). Barrier fencing is to be installed prior to May 15 to prevent wood turtles from nesting in the roadway. Rights-of-way timber harvest in buffer areas is seasonally restricted to October 1-March 31 or requires a clearance survey by a U.S. Forest Service authorized biologist outside this time period prior to commencing work (see attached map).
- Northern Long-eared Bat: Acres of trees harvested during rights-of-way clearing or the number of individual trees  $\geq 3$  inches in diameter at breast height. This must be reported to the District Wildlife Biologist by December 31 in the year harvest is completed for required annual reporting to the U.S. Fish and Wildlife Service.
- Red-shouldered Hawk: There is one active nest territory at the western end of the project area. No log landings or staging of materials or vehicles shall occur within the 30-acre territory buffer area from February 15-August 1 (see attached map).

### ***Purpose and Need:***

Diamond Roof Road has historically had yearly (spring) safety issues of water over the road at several locations within the proposed maintenance segment and at other segments further to the south. Overland flow of storm and melt water is being trapped by the roadway embankment due to culverts that are deteriorated and/or crushed or are non-existent. The Forest Service has had requests from the public and the local townships for brushing, right of way clearing, drainage improvements, and improvements to the aggregate surfacing (crushed gravel) in order to create a safer travel way that is more maintenance friendly. At this time the road exceeds the standard width of its maintenance level, the travel way shoulders are narrow, and the linear ditches are not working properly.

## Diamond Roof Reconstruction and Maintenance

With the implementation of the Townsend Project, FR 2123 will be the main collector road for most timber sales within the land base. However, the present roadway will not be able to sustain the increase in timber hauling activity.

The desired condition is for FR 2123 to meet a safe, efficient, and effective transportation system for both public use and timber hauling activity. This project is needed to move the road condition in the right direction.

The Chequamegon-Nicolet Land and Resource Management Plan (forest plan) of 2004 provides the following direction:

Goal 3 Ensure effective public service through organizational effectiveness, Goal 3.1 Capital Infrastructure on page 1-7: “Build and maintain safe, efficient, and effective infrastructure that supports public and administrative uses of National Forest System lands. Retain and progress toward the Forestwide average total road density goal of 3.0 miles per square mile established in 1986.”

### ***Rationale:***

The proposed project shall meet the requirements of the forest plan. The proposal shall comply fully with forest wide standards and guidelines, and the Management Area Direction, including that contained under Management Area number 2A Uneven-aged Northern Hardwoods; 2B Uneven-aged Northern Hardwoods-Interior Forest; 8F Special Management Areas; 8G Old Growth and Natural Features Complexes; (See Chapter 1, page 1-7 and Chapter 3, pages 3-7 through 3-11, 3-53 through 3-58).

## **REASONS FOR CATEGORICALLY EXCLUDING THE DECISION**

**Category of Exclusion:** I have determined this action falls under the following category of action that is normally excluded from documentation in an Environmental Assessment or Environmental Impact Statement pursuant to 36 CFR 220.6e (3):

***FSH 1909.15, Chapter 30, 32.2 (3): “Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land.”***

## **FINDING OF NO RELATED EXTRAORDINARY CIRCUMSTANCES**

I find there are no extraordinary circumstances present that may result in a significant individual or cumulative environmental effect. Specifically, the following circumstances were evaluated and found not related (FSH 1909.15 § 30.4): (Reference: Extraordinary Circumstance Checklist).

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species. Biological resources were reviewed (Trapp 03/2020, Janke 01/2020). None of the above plants are present. Wildlife would have a no or negligible effect.
2. Floodplains, wetlands or municipal watersheds. The affected area is an upland site and does not lie within a municipal watershed, wetland or an area managed as a floodplain (Sommer 12/2019).
3. Congressionally designated areas. This is not a wilderness or other congressionally designated site.
4. Inventoried roadless areas. The affected area does not lie within inventoried roadless.
5. Research Natural Areas. The affected area does not lie in or near a Research Natural Area (Janke 01/2020).
6. American Indian and Alaska Native religious or cultural sites: Local and affected Indian tribes were notified about this action. No concerns of religious or cultural sites were identified (Brown 4/2020).
7. Archeological sites, or historic properties or areas. The Forest Archeologist reviewed and completed a cultural resource inventory (Kralick 4/2020). Project concurrence received from SHPO, with mitigation that Heritage staff must be on site during ground disturbing work due to proximity to known site – contact program manager to arrange.

## **PUBLIC INVOLVEMENT**

Based upon public, other agency, and internal scoping, the IDT did not identify any extraordinary circumstances potentially caused by this action. The interdisciplinary team surveyed the area for presence of extraordinary circumstances and found no effect with design features (botanist, biologist, archeologist, water resources, and National Environmental Policy Act staff).

The public was notified of this action by scoping notices on December 12, 2019 and the CNNF posted the scoping on the forest website on the same day. The District did not receive any responses from these notices.

## **COMPLIANCE WITH LAWS AND REGULATIONS**

I have considered relevant laws, regulations, and agency direction. I find my decision complies with the National Forest Management Act, National Environmental Policy Act, and the Endangered Species Act. I have considered direction in the FSM 1950 and FSH 1909.15 and find the analysis and my decision consistent with that direction.

FOREST PLAN CONSISTENCY (NATIONAL FOREST MANAGEMENT ACT). I have reviewed the direction in the forest plan. My decision addresses its goals and objectives and is consistent with all standards and guidelines relevant to this action.

## Diamond Roof Reconstruction and Maintenance

I have reviewed this action in accordance with Executive Order 12898 (consideration of environmental justice). I find scoping was adequate to inform low income and minority populations that may be affected by this action. No concerns of disproportionate health or environmental effects surfaced. Adverse effects of this action will be minor or not apparent. Therefore, I find my decision will not disproportionately create high and adverse health or environmental effects to low income or minority populations.

### **ADMINISTRATIVE REVIEW AND IMPLEMENTATION DATE**

My decision is not subject to a higher level of administrative review or objection pursuant to 36 CFR 218.4. For more information about this decision, contact Eric Cromell, Project Leader, Laona Office, 4978 Hwy 8, Laona, WI 54541 (Phone 715-674-4481).

### **SIGNATURE AND DATE**

*Mike Brown*  
Mike Brown  
District Ranger

30 October 2020  
Date

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